

**MINUTES OF THE STANDING COMMITTEE ON  
REGULATORY REFORM**

**Tuesday, June 28, 2005**

**9:00 A.M.**

**Room 308 House Office Building**

**Chairman Rocca** called the meeting to order.

**MEMBERS PRESENT:** Reps. Rocca, Jones, Van Regenmorter, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith. (8/9)

**MEMBERS ABSENT/EXCUSED:** Rep. Lemmons, III. (1/9)

**Representative Jones** moved to excuse absent members. **Representative Gaffney** supported the motion. No objections being made, absent members were excused.

**Representative Palsrok** moved to approve the minutes of the June 14, 2005 meeting.

**Representative Gaffney** supported the motion. Without objections, the minutes were approved.

**Chairman Rocca** Laid **SB 306** before the committee.

SB 306	Birkholz	Property; conveyances; transfer of certain state owned property in Eaton county; provide for.
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**Senator Patty Birkholz**, sponsor of the legislation, testified before the committee.

**Matthew Losch**, representing Grand Ledge Public Schools, testified before the committee in support of **SB 306**.

**Robert Huber**, representing Grand Ledge Public Schools, testified before the committee in support of **SB 306**.

**Representative Palsrok** moved to adopt the following amendment to **SB 306**. **Representative Virgil Smith** supported the motion.

1. Amend page 3, line 22, after "property." by inserting "If the state reenters and repossesses the property, the state shall not be liable for reimbursing any party for any improvements on the property.".

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith. (7/9)

**NAYS:** None. (0/9)

**PASS:** None. (0/9)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Gaffney** moved to report **SB 306** as an **(H-1)**, with recommendation.

**Representative Jones** supported the motion.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith. (7/9)

**NAYS:** None. (0/9)

**PASS:** None. (0/9)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Chairman Rocca** laid **HB 4706** before the committee.

HB 4706 Kooiman                      Liquor; hours; permit to allow extended restaurant hours under certain circumstances; provide for.

**Representative Jerry Kooiman**, sponsor of the legislation, testified before the committee.

**Matt Groen**, representing the Michigan Restaurant Association, testified before the committee in support of **HB 4706**.

**Representative Jones** moved to adopt the **(H-3)** substitute to **HB 4706**. **Representative Gaffney** supported the motion.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith. (7/9)

**NAYS:** None. (0/9)

**PASS:** None. (0/9)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Palsrok** moved to report **HB 4706** as an **(H-3)**, with recommendation.

**Representative Jones** supported the motion.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith. (7/9)

**NAYS:** None. (0/9)

**PASS:** None. (0/9)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Chairman Rocca** laid **HB 4959** before the committee.

HB 4959 Ward                      Liquor; wine; direct shipment of wine for personal consumption in this state by a retailer; prohibit.

**Representative Chris Ward**, sponsor of the legislation, testified before the committee.

**Dennise Barber**, representing Lone Oak Vineyard Estate, testified before the committee in opposition to **HB 4959**.

**Michael Sarafa**, representing the Associated Food Dealers of Michigan, testified before the committee in support of **HB 4959**.

**Matt Groen**, representing the Michigan Restaurant Association, testified before the committee in opposition to **HB 4959**.

**Betty Mercer**, representing the Coalition for a Safe and Responsible Michigan, testified before the committee in support of **HB 4959**.

**Mike Beck**, representing Uncle John's, testified before the committee in opposition to **HB 4959**.

**Ray Foresman**, representing the Michigan Beer and Wine Wholesalers Association, testified before the committee in support of **HB 4959**.

**Ed Gerten**, representing Pioneer Wine Trail and Pentamere Winery, testified before the committee in opposition to **HB 4959**.

**Gerard Giacona**, representing Filipo Marc Winery, testified before the committee in opposition to **HB 4959**.

**Charles Edson**, representing Leelanau Peninsula Vintners, testified before the committee in opposition to **HB 4959**.

**Joel Goldberg**, representing Wine Consumers Across Michigan, testified before the committee in opposition to **HB 4959**.

The following people turned in testimony cards wishing to testify on **HB 4959** but due to time constraints were unable:

**Donald Coe**, representing Wine Michigan and Black Star Farms.

**Michael Brenton**, representing the Greater Lansing Vintners Club, in opposition.

The following people turned in testimony cards on **HB 4959** but did not wish to speak:

**Eric Henning**, representing Miller Brewing Company, in support.

**Caroline Jeffs**, representing the Law Enforcement Alliance of America, the Cosnar Foundation and the Alliance of Minority Medical Associations, in support.

**Michael Lashbrook**, representing the Michigan Beer and Wine Wholesalers Association, in support.

**Amy Gagnon**, representing Stoney Acres Winery, in opposition.

**Cheryl Washinski**, representing herself, in opposition.

**David Hyndman**, representing the Greater Lansing Vintners Club, in opposition.

**Anne Leisinger**, representing Sanhill Crane Vineyards, in opposition.

**Bob Jacobson**, representing Leelanau Wine Cellars, in opposition.

**Linda Hagen**, representing Winecam, in opposition.

**Nino Ciarvino**, representing the Wine Institute, in opposition.

**Edward Groves**, representing himself, in opposition.

**Renae Goralski**, representing Tartan Hill Winery, in opposition.

**John Sanford**, representing Jomagrha Winery, in opposition.

**Marylou Coe**, representing Black Star Farms, in opposition.

**Ron Nelson**, representing Michigan Farm Bureau, in opposition.

**Helen Grochowski**, representing Stoney Acres Winery, in opposition.

**Representative McDowell** moved to adopt the following amendments to **HB 4959**.

**Representative Palsrok** supported the motion.

1. Amend page 2, line 18, after “(9)” by striking out “wine” and inserting “Beginning the effective date of the amendatory act that added subsection (10) and for 6 months after that date, “wine”.

(10) Subject to subsection (9), “wine maker” means any person licensed by the commission to manufacture wine and sell, as wholesale or retail, wine manufactured by that person.”.

2. Amend page 5, line 1, after “(b)” by striking out “a” and inserting “Beginning the effective date of the amendatory act that added this subsection and for 6 months after that date, a”.

3. Amend page 6, line 26, after “drink” by striking out “wine maker, small wine maker,”.

4. Amend page 7, line 2, after “retail” by inserting “Beginning the effective date of the amendatory act that added this subsection and for 6 months after that date a small wine maker and wine maker shall not be licensed as a specially designated merchant or a specially designated distributor or permitted to sell or deliver to the consumer any quantity of alcoholic liquor at retail.”.

5. Amend page 7, line 6, after “drink,” by striking out “wine maker, small wine maker,”.

6. Amend page 7, line 7, after “license.” by inserting “Beginning the effective date of the amendatory act that added this subsection and for 6 months after that date a specially designated distributor or specially designated merchant or any other retailer shall not hold a wine maker or small wine maker license.”.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Palsrok, Wojno, McDowell. (3/9)

**NAYS:** Reps. Rocca, Jones, Van Regenmorter, Gaffney. (4/9)

**PASS:** Rep. Virgil Smith. (1/9)

An insufficient number of members voting in the affirmative, the motion did not prevail.

**Representative Gaffney** moved to report **HB 4959**, with recommendation. **Representative Jones** supported the motion.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Rocca, Jones, Van Regenmorter, Gaffney, Virgil Smith. (5/9)

**NAYS:** Rep. Palsrok. (1/9)

**PASS:** Reps. Wojno, McDowell. (2/9)

A sufficient number of members voting in the affirmative, the motion prevailed.

There being no further business before the committee, **Chairman Rocca** declared the meeting adjourned, the time being 10:27 a.m.

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Representative Tory Rocca, Chair

Eric Esch, Committee Clerk (517) 373-0070